

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DANIELLE DECOLLIBUS, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RUBUS MANAGEMENT, LLC;  
EMPLOYEE(S)/AGENT(S) DOES 1-10;  
and ROE CORPORATIONS 11-20,  
inclusive,

Defendants.

Case No. 2:23-cv-01552-ART-EJY

ORDER

On August 15<sup>th</sup>, this Court ordered Counsel for Defendants to enter an appearance no later than August 23, 2024 (ECF No.18), warning Defendants that “[c]orporations and other unincorporated associations must appear in court through an attorney.” *D-Beam Ltd. Partnership v. Roller Derby Skates, Inc.*, 366 F.3d 972, 973-74 (9th Cir. 2004)(citing *Licht v. Am. W. Airlines (In re Am. W. Airlines)*, 40 F.3d 1058, 1059 (9th Cir. 1994)), and that an action against an unrepresented corporate defendant can result in an entry of default judgment. See LR 77-1(b)(2)(“The clerk must: . . . (2) Enter default for failure to plead or otherwise defend under Fed. R. Civ. P. 55(a)”); Fed. R. Civ. P. 55(a)(“When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.”).

Counsel for Defendants has failed to enter an appearance. As such, the Court directs the clerk to enter default against Defendants, and grants Plaintiff leave to file a motion for default judgment against Defendants. Should Plaintiff

1 fail to file such a motion, the Court will dismiss this action for failure to prosecute.  
2 Fed. R. Civ. P. 41(b).<sup>1</sup>

3 Accordingly, the Court directs the clerk to enter default against  
4 Defendants.

5 The Court also grants Plaintiff leave to seek default judgment against  
6 Defendants. Plaintiff must file a motion for default judgment by Thursday,  
7 September 19, 2024.

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9 Dated this 29<sup>th</sup> day of August, 2024.

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12 ANNE R. TRAUM  
13 UNITED STATES DISTRICT JUDGE  
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<sup>1</sup> A trial court has inherent power to *sua sponte* dismiss an action for lack of prosecution. *Link v. Wabash R. Co.*, 370 U.S. 626, 630-632 (1962).